

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB540

Hearing Date: Thursday March 04, 2021
Committee On: Judiciary
Introducer: Walz
One Liner: Change terminology related to disability in civil rights provisions

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Brandt, DeBoer, Geist, Lathrop, McKinney, Morfeld, Slama,
Pansing Brooks

Nay:

Absent:

Present Not Voting:

Oral Testimony:

Proponents:

Senator Lynne Walz
Brad Meurrens
Marna Munns

Representing:

Introducer
Disability Rights Nebraska
Nebraska Equal Opportunity Commission

Opponents:

Representing:

Neutral:

Representing:

Submitted Written Testimony:

Proponents:

Spike Eickholt
Jessica Harris
Jerry Neff
Ashlea Kerr

Representing:

ACLU of Nebraska
Self
Self
The Arc of Nebraska

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 540 makes numerous wording changes to statute sections referencing disability. The bill replaces phrases like handicap and listing of disabilities with more modern phrasing. The measure also replaces definitions of disability with references to the federal definition (42 USC 12102).

Section by Section

Section 1 Amends 18-1724 to replace "handicap" with "disability" and provide a reference to the definition in section 17.

Section 2 Amends 20-113 to replace "handicap" with "disability" and provide a reference to the definition in section 17.

Section 3 Amends 20-128 to replace a list of disabilities with "persons with disabilities".

Section 4 Amends 20-126.01 to redefine disability with the federal definition (42 USC 12102).

Section 5 Amends 20-127 to replace a list of disabilities with "person with a disability".

Section 6 Amends 20-128 to replace various listed disabilities as adjectives to instead describe the individual as a person with the various disabilities.

Section 7 Amends 20-129 to replace various listed disabilities as adjectives to instead describe the individual as a person with the various disabilities.

Section 8 Amends 20-130 to replace "the disabled" with "people with disabilities".

Section 9 Amends 20-131.01 to replace a list of disabilities with "persons with disabilities".

Section 10 Amends 20-131.02 to redefine disability with the federal definition (42 USC 12102).

Section 11 Amends 20-131.04 to replace a list of disabilities with "persons with disabilities" or "person with a disability".

Section 12 Amends 20-132 regarding public accommodations to add prohibit discrimination based on a disability

Section 13 Amends 20-134 regarding public accommodations to add prohibit a person from discriminating based on a disability and provide a penalty

Section 14 Amends 20-139 regarding the Fair Housing Act, to replace "handicap" with "disability" and provide a reference to the definition in section 17.

Section 15 Amends 20-301 regarding the Fair Housing Act to provide a reference to the definition in section 17 (42 USC 12102).

Section 16 Amends 20-303 regarding the Fair Housing Act to provide a reference to the definition in section 17 (42 USC 12102).

Section 17 Amends 20-313 to replace "handicap" with "disability" and provide a reference to the federal definition (42 USC 12102).

Section 18 Amends 20-317 regarding restrictive covenants to prohibit discrimination based on disability replacing the phrase "handicap".

Section 19 Amends 20-318 regarding the sale or rental of a dwelling to prohibit discrimination based on disability replacing the phrase "handicap".

Section 20 Amends 20-319 regarding the sale or rental of a dwelling to prohibit discrimination based on disability replacing

the phrase "handicap".

Section 21 Amends 20-320 regarding the sale or rental of a dwelling to prohibit discrimination based on disability replacing the phrase "handicap".

Section 22 Amends 20-321 to replace "handicap" with "disability"

Section 23 Amends 20-322 to replace "handicap" with "disability"

Section 24 Amends 20-325 to replace "handicap" with "disability"

Section 25 Repeals original sections.

Steve Lathrop, Chairperson